



**CITY OF SUNNYVALE
REPORT
Planning Commission**

September 20, 2004

SUBJECT: **2004-0433 – Joseph Magliulo** [Appellant]: Appeal of a decision by the Director of Community Development denying a Design Review to allow a new 2,795 square-foot two-story home resulting in a 45% Floor Area Ratio. The property is located at **1199 Fairwood Avenue** in an R-0 (Low-Density Residential) Zoning District.

REPORT IN BRIEF

Existing Site Single Family Home

Conditions

Surrounding Land Uses

North Single Family Home

South Single Family Home

East Single Family Home

West Single Family Home

Issues Neighborhood Compatibility

**Environmental
Status** A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

**Staff
Recommendation** Deny the Appeal and uphold the decision of the Director of Community Development to deny the Design Review



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Low Density Residential	Same	---
Zoning District	R-0	Same	---
Lot Size (s.f.)	6,214	Same	6,000 min.
Gross Floor Area (s.f.)	Approx. 3,350	2,795	No max.
Lot Coverage (%)	Approx. 35%	34%	40% max. for two-story home
Floor Area Ratio (FAR)	Approx. 54%	45%	No max.
Building Height (ft.)	Approx. 25'	26'	30' max.
No. of Stories	2	2	2 max.
Setbacks (facing prop.)			
• Front	20' 11"	20'	20' min.
• Left Side	8'2"	11'	4 min. (12' combined required)
• Reducible Front Yard (Facing Palamos Ave.)	9'4"	9'	9 min. (12' combined required)
• Rear	23'	21'	20 min. (10 ft permitted with < 25% encroachment)
• Front (second story)	20' 11"	25'	25 min.
• Left Side (second story)	8'2"	13'	7' Min. (18' combined required).
• Right Side (second story)	32' 8"	12' 10"	7' min. (18' combined required)
• Rear (second story)	23'	30'	20' min.
Parking			
• Total No. of Spaces	4	4	4 min.

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
• No. of Covered Spaces	2	2	2 min.

ANALYSIS

Background

Previous Actions on the Site: There are no previous planning applications related to this site. The original home was built in 1957. A building permit was issued for a two-story home in 1975 which predates current Design Review requirements.

Description of Proposed Project

The City of Sunnyvale received a Design Review application for a new two story home located on a corner lot at 1199 Fairwood Avenue (corner of Fairwood and Palamos Avenue). The proposed home would result in a 45% Floor Area Ratio (FAR) for the site. Planning Staff has worked with the applicant on design related issues for the new home. The Design Review process provides staff the opportunity to visit the site and review a proposed project to determine if the project meets the Single Family Design Techniques.

Staff met with the applicant to review the project and discuss concerns regarding architectural style, second story massing and compatibility with the existing neighborhood character. In response to staff concerns the applicant revised the design to reduce the scale of the entryway portion of the home and portions of the second story to create a relief of the massing between the first and second story. Staff reviewed the revision and determined that the revisions were not sufficient enough to make the findings necessary to approve the Design Review. Staff was unable to make the required findings for the Design Review and denied the permit due to the lack of design compatibility with the surrounding neighborhood, and the lack of similar scale and bulk of the proposed two-story house compared to the surrounding neighborhood structures.

The applicant did not wish to further modify the proposed second story house. Staff denied the design review application on September 8, 2004. The Planning Commission is hearing this project because the decision to deny the Design Review has been appealed by the applicant.

Environmental Review

A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City guidelines. Class 1 Categorical Exemptions include minor additions to existing facilities.

Design Review

Site Layout: Currently, the two-story home is positioned on a corner lot (6,214 s.f.) facing Fairwood Avenue. The proposal includes the demolition of the existing home and construction of a new two-story 2,795 s.f home. The proposed home meets all R-0 Zone setback and lot coverage requirements.

The proposed two-story house does not interfere with solar access to the rooftop of any structure or to any preexisting active solar collector on nearby property. The proposed project meets the solar access requirements per the Sunnyvale Municipal Code Chapter 19.56.020.

The garage of the proposed home faces Fairwood Avenue consistent with the layout of the existing home. A one story home is positioned south of the site along Fairwood Avenue. Another one-story home is situated directly behind the proposed home on Driftwood Court.

The following Guidelines were considered in analysis of the project site design.

Design Policy or Guideline (Site Layout)	Comments
<i>3.4 Second Floors F. New homes and second story additions constructed adjacent to smaller homes should maintain a one-story profile adjacent to the on story homes as a transition to any second story building element.</i>	The proposed home does not provide a transition between neighboring one-story homes. The design of the new home incorporates two second story volume areas that give the appearance of a larger more massive home than the actual living area would typically demonstrate.

Architecture: The architecture of the proposed home makes use of high quality materials including a stucco finish and stone veneer. The roof will be composed of concrete tile. Painted wood trim around the doors and windows will be incorporated on each building elevation.

The applicant has worked with staff to reduce the entryway and portions of the second story to a more appropriate height and scale. Although the overall floor area is not considered exceedingly high, staff finds that the proposed design of

the home appears larger and out of character with the neighborhood. Additional modifications, such as reducing the scale of the second floor volume areas and multiple roof forms, should be considered in an effort to mitigate the bulk appearance of the new home.

The following Guidelines were considered in the analysis of the project architecture.

Single Family Design Guidelines (Architecture)	Comments
<i>3.4 Second Floors K. Relate second floor elements to first floor elements to first floor masses. Avoid large projecting forms on the second floor when first floor elements are modest in size and scale.</i>	The second story appears out of scale to the neighborhood by the use of two large volume open areas within the front and rear of the home.
<i>3.4 Second Floors L. Avoid too many visually competing building elements on the front facades (e.g. bold entry, projecting garage and living room bay window create and overly complex façade).</i>	In this case, a prominent rounded entryway coupled with multiple roof forms within the second story present a complex façade for the appearance of the home.
<i>3.5 Roofs A. Avoid overly complex floor plans with visually busy walls and roof forms</i>	The proposed architecture of the home exhibits multiple roof forms within the first and second stories.
<i>3.7 Materials F. All materials should be of high quality to present a positive image to the neighborhood and to minimize problems and costs.</i>	The new home incorporates various high quality materials including stucco, stone and wood trim. The roof materials will be constructed of tile.

Landscaping: The project site meets landscaping standards for properties located in the R-0 Zoning District.

Parking/Circulation: The site provides the required two covered spaces and two uncovered spaces as required by Sunnyvale Municipal Code 19.46.050.

Easements/Undergrounding: Sunnyvale Municipal Code Section 19.38.090 requires that all service drops shall be placed underground. (Condition of Approval #5)

Staff Comments

The proposed two story house meets all the standards for setbacks, lot coverage, building height, number of stories and solar access requirements for an R-0 Zoning District. The decision to deny the Design Review for the proposed two story single family residence is due to the lack of compatibility with the architectural character and scale of the surrounding neighborhood. Staff is recommending that the Planning Commission deny the appeal of the Design Review for the proposed two-story house design. An action by the Planning Commission is final. A denial action will require that the appellant reapply for a Design Review application. There is no fee required of a Design Review Application

Compliance with Development Standards

The site complies with all development standards including height, setbacks, and lot coverage for properties in the R-0 Zoning District.

Expected Impact on the Surroundings

Staff believes that, as proposed, the new two-story home will have a significant visual impact to the surrounding neighborhood. The site is located on a corner and within a neighborhood of mostly smaller homes. Staff notes there are examples of two-story homes without significant second story setbacks in the surrounding area. Many of these homes predate current Single Family Design Guidelines. Staff finds that the overall floor area could be compatible to the neighborhood; however, the design of the home, particularly the high volume areas, is considered out of scale and character to surrounding homes in the neighborhood. Staff notes that if the high open areas were utilized as living area, the floor area ratio would be closer to 56%.

Findings, General Plan Goals and Conditions of Approval

Staff is recommending denial for this project because the Findings (Attachment 1) were not made, however; if the Planning Commission is able to make the required findings, staff is recommending the Conditions of Approval (Attachment 2).

- Findings and General Plan Goals are located in Attachment 1.
- Conditions of Approval are located in Attachment 2.

Fiscal Impact

No fiscal impacts other than normal fees and taxes are expected.

Public Contact

Notice of Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none">• Published in the <i>Sun</i> newspaper• Posted on the site and mailed to 18 nearby property owners of the project site	<ul style="list-style-type: none">• Posted on the City of Sunnyvale's Website• Provided at the Reference Section of the City of Sunnyvale's Public Library	<ul style="list-style-type: none">• Posted on the City's official notice bulletin board• City of Sunnyvale's Website• Recorded for SunDial

Alternatives

1. Deny the appeal for a Design Review in accordance with staff's recommendation.
2. Approve the appeal for the Design Review Permit subject to conditions of approval.
3. Approve the appeal for the Design Review Plan Permit subject to conditions of approval with modifications.

Recommendation

Recommend Alternative 1.

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Reviewed by:

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Reviewed by:

Trudi Ryan
Planning Officer

Attachments:

1. Recommended Findings
2. Recommended Conditions of Approval
3. Site and Architectural Plans
4. Letter from the Applicant
5. Photos of the subject site
6. Photos of homes in the neighborhood

Recommended Findings – Design Review

The proposed project is not considered desirable by staff in that the project's design and architecture does not conform to the policies and principles of the Single Family Home Design Techniques.

Single Family Home Design Techniques – Basic Design Principles

Basic Design Principle	Comments
<i>2.2.1 Reinforce prevailing neighborhood home orientation and entry patterns</i>	The orientation of the home is consistent with other homes located on corner lots in the neighborhood.
<i>2.2.2 Respect the scale, bulk and character of homes in the adjacent neighborhood.</i>	The proposed design of the two-story home appears out of scale and character to the neighborhood.
<i>2.2.3 Design homes to respect their immediate neighbors</i>	Additional modifications to the home should be considered in order to present a more compatible appearance adjacent to one story homes.
<i>2.2.4 Minimize the visual impacts of parking.</i>	The proposed home meets parking standards for single family homes.
<i>2.2.5 Respect the predominant materials and character of front yard landscaping.</i>	Front yard landscaping will be supplied at the discretion of the home owner.
<i>2.2.6 Use high quality materials and craftsmanship</i>	The proposal includes high quality materials for the construction of the new home, including stucco, stone veneer, and tile roofing.
<i>2.2.7 Preserve mature landscaping</i>	Significant landscaping will be preserved on site.

Recommended Conditions of Approval - Design Review

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

Unless otherwise noted, all conditions shall be subject to the review of approval of the Director of Community Development.

1. The one-year expiration date of the Design Review shall be measured from the date of the approval by the final review authority at a public hearing if the approval is not exercised.
2. This project must be in substantial conformance with the approved plans. Any major site and architectural plan modifications shall be treated as an amendment of the original approval and shall be subject to approval at a public hearing except that minor changes of the approved plans may be approved at the staff level by the Director of Community Development.
3. Obtain Building Permits.
4. All service drops shall be placed underground.